

to the United Nations have to be examined. Two principal motives can be discerned and, as will be seen, they both stem from the same root. The first motive is the desire of the Algerian Government of the FLN to be sure, on the one hand, of General de Gaulle's intention to link a cease-fire with guarantees supporting the procedure of self-determination; and, on the other hand, to be sure that General de Gaulle will be obeyed completely – if he so desires – by French officials who talk a language different from his. The remarks of Marshal Juin, of General Weygand, of the Minister of the Army and of the Delegate General of France in Algeria, have robbed self-determination of the meaning General de Gaulle gave it on September 16th. No doubt de Gaulle on November 10th restored the term's true significance, but no clear and explicit disavowal has been made in regard to the members of his government who talked of self-determination as if it were an astute political stroke. The FLN, however, could have asked for clarification; it could have sent a secret emissary who could have raised questions preliminary to any discussions. Here, we reach the second FLN motive.

Up to now, France has worked to split the insurrection; it counted at first on destroying it, then on dispersing it. France did not succeed in striking at the soul of the rebellion, but it was able (helped by the intermittent errors of the FLN itself) to divide Algeria, to transform a colonial war into a civil war, to produce all the heart-rending convulsions which a military occupation produces in any country. For this reason the FLN Government considers it necessary to take every possible precaution, to cover itself with every surety, to obtain every possible and imaginable guarantee before risking, by discussions, the impression to the Algerian masses that the flame of insurrection is dying out, that tension is being relaxed, and that Moslem or European adversaries may have an authority equal to the FLN's.

It has often been pointed out that there are certain similarities between the Chinese and Algerian revolutions. That is only partly true, but it is true that among the Algerians, as among the Chinese, the insurrection began with the peasant masses, on which agitators later managed to impose a military structure. War, combat, tension and the pursuit of a simple objective to which one sacrifices everything can cement such a revolution much better than can a peaceful organization led by men who do not yet have a well-formed political consciousness. The leaders of the Algerian revolution are well aware of this. The Algerian national consciousness was created during the last five years of war; peace is full of risks for the revolution. Therefore, before returning to peace, the unshakable basis of a political settlement must have been established. Otherwise, the FLN and the revolution are imperiled.

In this state of mind, the Algerians give enormous importance to all questions of prestige, of national and

revolutionary pride. They will not agree to act through the Ambassadors of Tunisia and Morocco, to receive nonauthorized emissaries, to come to Paris without preliminary discussions, to be treated as isolated individuals whom one expects to bring, even temporarily, within the bosom of the French Republic through one man's promise to construct a future more or less in accord with the FLN's initial goals. They must show the Algerian masses that the power and integrity of the revolution will not be impaired, and that those who have remained outside the revolution are wrong to count on the disappearance of the FLN. For the Algerians, peace counts less than the Revolution, a cease-fire is less important than independence, and, finally, the association with France is less desirable, despite the promised economic prosperity, than the protection of the revolutionary goals.

These two motives clearly show why the Algerians may not wish to yield to the invitation of the chief of the enemy camp – regardless of how much prestige he may have – but prefer instead yielding to the recommendation of an international organization. To make concessions to the United Nations is to have already gained a recognition of one's authority and a consecration of one's prestige.

But what about the heart of the problem? Has a single step been taken toward peace? I do not believe so. If the French delegation does not receive instructions to put a good face on a United Nations recommendation on Algeria and present such a recommendation as a French success, General de Gaulle will be annoyed, and to no one's profit – not even the FLN's. The President of the French Republic is at this moment the only man capable of solving the Algerian problem; and he is also the only man to whom the FLN has a chance of making itself understood. On September 16th General de Gaulle came out in favor of self-determination; he did so against his own government, against the parliament, against the largest political party in France. The army, which had been so agitated, remained silent, peaceful and obedient. Now, if the linking of the *ultras* of France and the FLN were to cause the failure of the Gaullist experiment by prolonging the Algerian war, not only would the war continue indefinitely but France and Algeria would undergo a catastrophic experience. Nameless and obscure peoples would be the real victims.

That is why it is to be hoped that the allies of France and of the Algerians at the United Nations will take into account the internal situations of the two countries, will reconcile points of view in the corridors rather than in the public galleries, will give the Algerians great enough confidence in themselves so that they may be able to take political risks, and will get from the French an understanding of the difficulties with which de Gaulle must contend. The situation is grave not only for France and the Algerians; it is grave also for the stability of Europe and the Atlantic community.

STAT

THE FACTS ABOUT
NIXON - X

From the story of Nixon-the-campaigner, we turn to Nixon-the-public-servant. First elected to the House of Representatives in 1946 as the chosen instrument of California conservatives to unseat incumbent Jerry Voorhis, Nixon took an early interest in measures to limit the power of labor unions and legislation for dealing with Communist subversion. The Mundt-Nixon bill brought him some notice, but it was his role in the Hiss case that made him a national celebrity within a few weeks.

The Hiss Case

by William Costello

(Reference to the
D.C.I., page 13)

TIME: January 3, 1947.

SETTING: The Republican cloakroom in the House of Representatives.

New members waiting to take the oath were milling about striking up acquaintances, mentally fitting themselves into their new roles. A newspaperman stepping up to one of the freshman legislators asked the stock question: "Do you have any bill you plan to introduce, or any pet project you intend to push for?"

The young Congressman pursed his lips and smiled. "No, nothing in particular," he replied modestly. "I was elected to smash the labor bosses, and my one principle is to accept no dictation from the CIO-PAC."

The Congressman of course was 33-year-old Richard Nixon, fresh from his triumph over Jerry Voorhis, ideologically flexing himself for a career of public service. During the four years of that service in the House Nixon was to be identified with three causes:

1. Enactment of the Taft-Hartley Act of 1947, to which he devoted his principal energies in his first term.
2. The Mundt-Nixon bill, most of the provisions of which were embodied in the McCarran Act.
3. The Hiss case.

Almost from the start Nixon showed a grasp of the opportunistic art of working on one side of the fence while a bill was being amended and perfected, and then switching to the other side or being conveniently absent when the measure came to a final vote. Among professionals this is considered vintage politics, a technique hoary with respectability, the only pragmatic answer to the opposition in districts where the turnover of Congressmen tends to be high. By a careful distribution of votes and speeches on sensitive issues, it is possible to be on all sides simultaneously and thus relatively immune from partisan attack. The ethics of the system is a separate problem, usually disposed of by professionals with a shrug and a wink.

Early in his House career, Nixon was referred to by a Washington newspaper as "the greenest Congressman

in town." In the light of what happened, it would have been safer to reserve judgment. Nixon showed, in fact, a rare insight into the manipulation of power. One of his first and shrewdest moves was to help organize the Chowder and Marching Club, a group of 14 freshman Republicans who met every Wednesday for strategy conferences on bills, hearings, reports and amendments.

As a bloc the freshman marchers were big enough to command a degree of attention which would not have been accorded them as individuals; at the same time they were not big enough to excite hostility or reprisals. They provided each other with a degree of protective coloration, and gave Nixon as their leader a base of operations and a first tentative step upward on the ladder of Congressional influence. Without such a base of operations, Nixon and his associates as individuals might easily have been lost in the remote upper corridors of the House Office Building, ignored in committee assignments and steamrolled into impotence by the complex machinery of the House and its seniority system.

In view of Nixon's interest in "smashing the labor bosses" and his success with the Communist subversion issue in the 1946 campaign, he was especially fortunate in his committee assignments. Although only a freshman, Nixon applied for and got a place on the House Education and Labor Committee. In addition he was eligible for assignment to a minor committee; and although the Committee on Un-American Activities had been established since 1945 as a permanent standing committee, it was still regarded as a lesser post.

Because of the committee's unsavory reputation Nixon is said to have hesitated about accepting a place on it. His fellow member of the Chowder and Marching Club, Donald Jackson, recalled that Nixon paced up and down his office weighing the decision, arguing on the one hand that it was an unpleasant, thankless assignment, that it might be politically the kiss of death, but that on the other hand it might be possible to correct the injustices and irresponsibilities in the committee's pro-

cedures and that therefore he might be under a moral obligation to undertake the assignment.

This picture of a man wrestling with his conscience is accepted with reservations by practical politicians. House committee assignments for the most part are made in response to an expression of preference. The Un-American Activities Committee at that time was an unrivaled forum for personal publicity and there were more Republican applicants than there were openings. For an almost unknown freshman to get such a plum could only mean that powerful influence had been exerted on his behalf.

For 10 years the Un-American Activities Committee had been an investigatory body and nothing more. It had produced no legislative recommendations whatever. It was Nixon who transformed the committee into a functioning legislative organism. He began late in 1947 by winning appointment as chairman of a special legislative subcommittee. He then proceeded to hold a series of hearings in February, compiled two monographs on Communist operational tactics from the committee's voluminous files, and drafted a report outlining a proposed new attack on the Red conspiracy.

Mundt-Nixon Bill

Shortly afterward the Mundt-Nixon bill was introduced. Its principal provisions included: registration of Communists, identification of the sources of all printed and broadcast material issued by Communist-front organizations; denial of passports to party members; denial of federal employment to members of the Communist Party; discontinuance of tax-exemption of Communist-front organizations; deportation proceedings against aliens convicted of Communist activity; increasing the penalty for peacetime espionage to a \$10,000 fine and a maximum of 10 years' imprisonment; creation of a subversive activities control board which upon application by the Attorney General would determine whether an organization was a Communist-front or Communist-action group.

In the eyes of traditionalists the bill was offensive on two general grounds. The first of these was that it represented little more than a digest of the views of a small nine-man committee and had been sent to the floor of the House without hearings, without thorough analysis by either federal officials or outside legal experts. The second objection was that the bill undertook to regulate not conduct but opinion and therefore represented an unconstitutional species of thought-control.

Although opponents contended there was already ample legislation for prosecuting Reds, the Mundt-Nixon bill was reported out of committee unanimously. Nixon had been appointed floor manager for the bill, and in the absence of a Democrat willing to head the opposition, that task devolved upon New York's Marcantonio, who

was notorious for his sympathies to the Communists.

In the three-day debate that followed, Nixon's House apprenticeship came to an end. A reading of the *Congressional Record* indicates he handled himself with the aplomb of a veteran. He followed the debate; he interjected a word of interpretation here, of explanation there. He was the committee member who answered the toughest charges of the opposition; he was the committee member who knew the bill to its finest detail. He treated Marcantonio courteously, even granting him extra time when the hour and a half allocated to the New Yorker ran out. He never became involved in acrimonious exchanges. He was sharp on occasion, but always to the end that the House avoid irrelevancies.

On the second day of debate, the Mundt-Nixon forces suffered a setback from an unexpected quarter, a setback which not only contributed to subsequent failure of the bill in the Senate but which was to have a series of ironic overtones. In the preconvention maneuvering of 1948, Dewey and Stassen had emerged as the principal GOP antagonists, and the paramount issue was whether to deal with the problem of Communist subversion by outlawing the Communist Party. On May 15, in a meeting that proved to be the turning point in the struggle, Stassen and Dewey debated the issue in Portland, Oregon. In preparation for that debate, and knowing that while Dewey opposed the Mundt-Nixon bill Stassen favored it, Nixon had prepared a concise de-



May '48

"We Got To Burn the Evil Spirits Out of Her."

fense of the bill which Stassen in the end failed to use. Dewey, however, in his fiery defense of civil liberties and freedom of speech, pointed a finger of scorn at the Mundt-Nixon bill, declaring: "Stripped to its naked essential, this is nothing but the method of Hitler and Stalin. It is thought-control borrowed from the Japanese. It is an attempt to beat down ideas with a club. It is surrender of everything we believe in."

Leading newspapers in all parts of the country joined in Dewey's protest. The *New York Times* predicted that the bill "could be used to impose restraints on freedom such as the American people have not known for 150 years." The *Denver Post* wrote that the bill "would work against many innocent persons." The *St. Louis Post-Dispatch* said it "could be used to harass and even to prosecute any nonconforming individual or group."

In the Senate the Mundt-Nixon bill was referred to the Judiciary Committee which in June, 1948, did take the trouble to order a series of hearings. By that time protests against the measure had become so vociferous that proponents were unable to round up enough votes to report it out of committee.

Two years later, on March 7, 1950—barely two weeks after the Wheeling, West Virginia, speech that launched Joe McCarthy on his demagogic crusade—the Mundt-Nixon bill was resuscitated. By then, however, Nixon no longer had the field to himself. There were similar measures by Mundt, Ferguson and McCarran in the Senate and by Wood of Georgia in the House. In the prevailing anti-Communist neurosis, few politicians dared vote against such a proposal in an election year; and when McCarran threw the weight of his power into the scales, Congress rammed through, despite Truman's veto, an omnibus control bill under the title of the McCarran Act that included not only most of Nixon's ideas but a tangle of provisions from other pending measures.

Nixon's defense of the bill in his 1950 campaign manual started from the premise that, while it would have been a mistake to outlaw the Communist Party and drive it underground, the statute finally adopted would render Communism harmless by requiring the movement to operate in the open. "The Communist Party," he said, "can't stand the light of day." He insisted the bill "carefully defines the organizations which must register," and said the act would "take the procedure of identifying Communists and Communist-front organizations out of the field of name-calling and remove all uncertainty as to the organization's true nature by taking the procedure into the realm of legislative standards."

Notwithstanding this confident prediction, efforts to enforce the McCarran Act left a trail of frustration. In its 1958 summary to Congress and the President, the Subversive Activities Control Board reported itself still hamstrung by litigation. In eight years the Attorney General had brought 24 cases before the board. At his

own request eight of these were eventually dismissed because the organizations had ceased to exist. Eight other respondents had been ordered by the board, after hearings, to register as Communist-front organizations, but all had appealed the ruling to the District of Columbia Court of Appeals.

Eight other cases were still before the board. These included five on which hearings had been completed but no decisions had been filed, and two cases of "Communist-infiltrated labor unions" on which no action had been taken. The twenty-fourth case—that against the Communist Party of the United States—had been remanded once by the Supreme Court and twice by the Court of Appeals for further consideration. Unless and until the Supreme Court upheld the constitutionality of the act requiring the Communist Party to register, enforcement of the statute was at a standstill, since under the act no organization could be compelled to register until all opportunities for appeal had been exhausted.

Thus after eight years of litigation, no order of the SACB had become final. Ambiguities in the act trod so narrowly on the Bill of Rights as to open the door to a paralyzing parade of lawsuits. SACB officials took comfort in the thought that juridical harassment of the Red conspiracy had effectually tied up much of the party's funds and manpower; but from the point of view of general public policy, the McCarran Act of 1950 scarcely measured up to the hopes of its sponsors.

The Hiss Case

Politically the climax of Nixon's career in the House was the Alger Hiss affair, the only dramatic and widely meaningful case in a decade of investigation by Congress. In the short space of 134 days between August 3 and December 15, 1948, Nixon's name rocketed into the headlines; and as two Hiss perjury trials dragged through the courts in 1949 with sensation following sensation, the Californian became a national celebrity.

During the late summer of 1948, an American airlift fighting the Berlin blockade held the center of the world stage as Western diplomats conferred anxiously with the Russians in Moscow to try to reopen the overland corridors. Harry Truman was preparing for his apparently hopeless campaign battle against Tom Dewey and the Eightieth Congress. The Un-American Activities Committee, having failed to put the Mundt-Nixon bill on the statute books, found its fortunes at a low ebb.

At that juncture a new and provocative line of inquiry opened up. The committee on July 31 questioned Elizabeth Bentley, a confessed ex-Communist spy, who had not only testified before a New York grand jury and before a Senate subcommittee, but had actually told her story to the world in a series of newspaper articles. Her warned-over report of spy rings that had infiltrated the federal government named names and was successful in

making headlines. The committee was thereby encouraged to call another ex-Communist, Whittaker Chambers, who had been trying for years with indifferent success to convince Washington authorities that Communism in government was a real and present danger.

The Hiss case had its origin in the testimony Chambers gave at a committee hearing August 3. The committee already had material on Hiss in its files, raw, unevaluated data that added up to nothing until Chambers came along. Nixon recalled later that the witness "made charges which at the time seemed fantastic - that he'd been a Communist, that he had worked with Hiss, White, Abt, Pressman, Witt and a number of other people who were also connected with the government." Hiss, who had served briefly in the State Department during the New Deal and had since become president of the Carnegie Endowment for International Peace, promptly denied Chambers' charges and demanded an opportunity to be heard. He came before the committee August 5 and denied all.

"He was an amazingly impressive witness the first time," Nixon said later. "I would say that 90 percent of those who were in the committee room were convinced that Mr. Hiss was telling the truth . . . when he said that he did not know Mr. Chambers."

At that point the case was almost dropped. Chambers was a man of considerable standing, one of six senior editors of *Time* magazine; but Hiss had had a phenomenal record in government service and came before the committee, not a confessed Communist like Chambers, but a man of redoubtable credentials. Nixon however took the lead in urging further investigation. Later to explain his hunch he called attention to a few lines of testimony that had seemed to strike a false note.

Q. - "You say you have never seen Mr. Chambers?"

A. - "The name means absolutely nothing to me, Mr. Stripling."

A mind trained in courtroom procedure and cross-examination could perceive that Hiss was not answering the question.

"I was a lawyer," Nixon said, "and I knew he was a lawyer and I felt that his testimony was just too slick. . . . As I read the testimony later I became convinced that if Hiss was lying he was lying in such a way as to avoid perjury, with a very careful use of phrasing. He never made a categorical statement. He would say, 'To the best of my recollection' over and over again. He never said, 'I have never known Whittaker Chambers'. He constantly reiterated when the question was put to him, 'I have never known a man by the name of Whittaker Chambers'. In other words, he was too careful in his testimony, too smooth. It was very possibly an act, it seemed to me."

Nixon proceeded cautiously. Together with Rep. Charles J. Kersten, he went to see John Foster Dulles, then candidate Tom Dewey's foreign policy adviser. Present also at the Roosevelt Hotel interview in New York were Allen Dulles, Christian Herter and C. Douglas Dillon. It was the elder Dulles who in the end, after a long analysis, agreed that the weight of evidence against Hiss called for further investigation. Dulles reached that decision reluctantly, for on December 26, 1946, in response to an offer of a Detroit lawyer to provide evidence that Hiss had a Communist record, Dulles had written, "I have heard the report you refer to, but I have confidence that there is no reason to doubt Mr. Hiss's complete loyalty to our American institutions. . . . I feel a little skeptical about information which seems inconsistent with all that I personally know and what is the judgment of reliable friends and associates in Washington."

The question raised by Hiss's carefully qualified answers was, of course, whether he might have known Chambers under another name. In the end that suspicion proved to be the key that unraveled the mystery. Nixon, having been appointed chairman of a special subcommittee to pursue the investigation, proceeded to question Chambers separately about a multitude of intimate personal details concerning his alleged friendship with Hiss between 1934 and 1938. He then cross-examined

WHICH NIXON DO YOU READ?

Philadelphia, Pa. - Vice President Richard M. Nixon declared tonight that Adlai E. Stevenson's proposal for suspending H-bomb tests is "catastrophic nonsense" that will "shake the confidence of our friends abroad." Nixon said, "for us to agree as Mr. Stevenson suggests to discontinue tests before we have a fool-proof inspection system would be just like playing Russian roulette with only the Russians knowing which chamber had the fatal bullet in it." - Washington Post, Oct. 4, 1956.

Wisconsin Rapids, Wis. - Vice President Richard M. Nixon said tonight that anyone urging a resumption of nuclear weapon testing was ignorant of the facts. . . . "I would not criticize the critics," Mr. Nixon told a news conference. "I am simply saying that when you are on the outside looking in without responsibility and don't know all of the facts involved, you can very well reach an opinion you should not reach if you had all the facts." - New York Times, Nov. 12, 1959.

Hiss on this mass of corroborative detail. When answers coincided and when Hiss began dropping intimations that he might indeed have known Chambers by another name (eventually he was to identify Chambers both as "Carl" and as "George Crosley," a deadbeat free-lance writer whom he had allegedly befriended) Nixon arranged for a confrontation which took place August 16 in the Commodore Hotel in New York City.

At that meeting, in a melodramatic performance in which he displayed a almost comic reluctance in finally identifying Chambers, Hiss stuck to his denial that he had been a Communist and challenged Chambers to repeat the accusation outside the committee chamber where he could be sued for libel. Chambers did repeat the charges August 17 on the radio program *Meet the Press*. After a delay of three weeks, a delay which in itself tended to raise doubts about Hiss's candor, the suit against Chambers was filed.

In the end it was this lawsuit rather than the committee investigation as such that sent Hiss to jail. Hiss had assured his attorneys that there were no incriminating papers or documents that could possibly be produced against him. His attorneys therefore, in taking a deposition November 17 from Chambers, felt safe in asking the latter to produce any documentary evidence he might have to support his charge that he and Hiss had been Communists together.

Prior to that no one had known that Chambers in quitting the Communist Party had taken the precaution to fashion a "life preserver." Counsel for Hiss, therefore, was thunderstruck when Chambers produced his life preserver - a thick envelope containing four pages in Hiss's handwriting; and a number of typewritten documents which he said had been copied on Hiss's typewriter. He charged that Hiss had pilfered these confidential state documents and passed them on to him in the service of Communism. Examination showed that they were in fact copies of authentic papers; and other testimony established that the transmission to the Russians of verbatim texts of these top-secret documents, or even one of them, would have enabled the Soviet Government to break the secret State Department code.

Up to that point in the investigation there had been some skeptics willing to assert that Chambers was a psychopathic liar. The production of the envelope of papers put the whole case in a new light. Nevertheless there was an intimation from the Justice Department December 1 that the Hiss-Chambers case would be dropped unless additional evidence could be found. At that point Nixon performed his penultimate service in the Hiss case. In a private interview with Chambers, at the latter's Westminster, Maryland, farm, he was either told or was able to infer that Chambers had in his possession additional documentary evidence. Returning to Washington on the evening of December 1, Nixon made a forcing play. "I ordered that a subpoena be served

upon Mr. Chambers," he said later, "for any other documents that he might have."

Next evening, in a cloak-and-dagger scene that has few parallels in Congressional history, an agent of the committee served the subpoena on the ex-Communist. Chambers led him in darkness to a pumpkin in his garden. From it he drew five rolls of microfilm containing photostatic copies of confidential and secret documents from the State Department and the Bureau of Standards.

The pumpkin papers, for all their melodramatic qualities, gave the case an air of irrefragable substance and realism. In saving Chambers, they doomed Hiss. A New York grand jury that had been on the verge of indicting the ex-Communist for perjury reversed itself when Nixon rushed to New York and testified that it had to be Hiss who lied in saying he had not turned official documents over to Chambers. Simultaneously the FBI was able to establish that the pumpkin papers and letters from Mrs. Priscilla Hiss had been typed on the same Woodstock machine, a key factor in the case. On December 15 the grand jury climaxed the investigation by bringing an indictment for perjury against Hiss.

That ended Nixon's participation in the Hiss case. Two trials followed; the first ended in a hung jury voting eight to four for conviction; the second on January 21, 1950, brought in a verdict of guilty. All appeals were denied, and Hiss served a prison sentence.

Nixon Draws the Moral

In Nixon's mind there was never any doubt about the guilt of Alger Hiss. Chambers recalled later in his book *Witness* that he was sometimes amused by Nixon's "martial Quakerism" and by a "vivid picture of him in their blackest hour of the Hiss case... saying in his quietly savage way: 'If the American people understood the real character of Hiss, they would boil him in oil.'"

Waiting until Hiss had been convicted, Nixon applied for the first time in three years for a special order to address the House of Representatives, and on January 26, 1950, reviewed at length not only his part in the original Hiss-Chambers investigation, but also the broader political implications of the case. By that time he was preparing to campaign for the Senate, and he couched his analysis of Communist infiltration of the federal government in terms of a far-reaching threat to the security of the nation.

Pointing out, first, that the conspiracy of the 'thirties had been "amazingly effective," and, second, that Bentley and Chambers had named a "great number of people other than Hiss" as being implicated, Nixon cited the corroborative evidence of Julian Wadleigh and produced other hitherto unpublished papers said to be in the handwriting of a deceased Treasury expert, Harry Dexter White.

"The conspiracy was so effective, so well entrenched

and so well-defended by apologists in high places," he said, "that it was not discovered and apprehended until it was too late to prosecute. . . . There were several occasions during the past 10 years on which, if vigorous action had been taken, the conspiracy could have been exposed . . . [but] . . . the three-year statute of limitations had lapsed and it is too late to do anything. . . ."

Nixon reviewed evidence indicating the FBI, the White House, the State Department, the Atomic Energy Commission and others were aware that charges had been made against Hiss and others; that "top officials were aware of the fact that the Russians were engaging in espionage activities against us even while they were our allies." He pointed scornfully to the fact that, whereas Canada had convicted nine atomic spies within a year after the Gouzenko revelations, the Truman Administration had a record of "humiliating failure to take any action whatever in this country against the individuals involved in wartime espionage for the Soviet Union until it was too late to prosecute. . . ." He condemned the Administration for "inexcusable inaction," ridiculed Truman for calling the Hiss case a "red herring," and marveled at Dean Acheson's refusal to "turn his back" on Alger Hiss.

Then Nixon went to the heart of his polemic against the Administration, a theme that was to recur again and again in later campaigns: "Why was it that Administration officials persisted in their refusal to act through the years, even when substantial evidence of espionage activities was brought to their attention? . . . The reason for their failure to act was not that they were disloyal. What was happening was that Administration leaders were treating the reports of Communist espionage on a 'politics-as-usual' basis. . . . They treated Communist infiltration into our American institutions like any ordinary petty political scandal . . . rendered the greatest possible disservice to the people of the nation."

He concluded with two practicable recommendations: the extension of the statute of limitations on espionage cases from 3 to 10 years, and a tightening of standards used in loyalty checks. Specifically he proposed that the "loyalty program" be abandoned in favor of a "security program" which would enable the government to resolve doubt in its own favor "without the necessity of proving disloyalty and thereby reflecting on the character of a possibly loyal but indiscreet government employee."

The "Security Risk" Yardstick

Nixon was but one of a number in Congress who favored "security" rather than "loyalty" as a yardstick. To legal hairsplitters, and in some cases as a practical administrative measure, disloyalty would have to border on treason, a charge that could be sustained under the Constitution only by an overt act and two wit-

nesses. In the hysteria of the period the appealing simplicity of the Nixon proposal – as was later demonstrated when McCarthy went to work in earnest – was that individuals could be dismissed from government service arbitrarily, without knowing accuser or accusation or how even to frame an answer to so shapeless an anomaly. The cynicism of the procedure, which was adopted only gradually, was that a government employee dismissed on the strength of anonymous charges as a security risk found himself no less brutally stigmatized than if the finding had questioned his loyalty.

In the peroration of his Hiss speech Nixon warned: "The great lesson which should be learned from the Alger Hiss case is that we are not just dealing with espionage agents who get 30 pieces of silver to obtain the blueprint of a new weapon – the Communists do that, too – but this is a far more sinister type of activity, because it permits the enemy to guide and shape our policy; it disarms and dooms our diplomats to defeat in advance before they go to conferences; traitors in the high councils of our own government make sure the deck is stacked on the Soviet side of the diplomatic table."

His objective as a skilled polemicist was to lay the groundwork for his later charge that the Administration in power had shown gross defects of judgment in dealing with the issue and should therefore be summarily voted out of office.

For his part in unmasking Hiss, Nixon's prestige was not only high but untarnished, this despite the fact that the procedures of the Un-American Activities Committee were subject to harsh criticism. While the Hiss case was still under investigation, October 5, 1948, Rep. Jacob K. Javits, later Senator from New York, launched a typical attack. In a signed article he asserted: "The Un-American Activities Committee in the Hiss-Chambers controversy acted as a trial body, but the protections provided by a trial at law were entirely lacking." And Javits was one of those who at the time urged dissolution of the committee.

Nixon was not prepared to acknowledge shortcomings in the Hiss-Chambers affair, but in talking with newsmen December 19 he was less reticent about other cases. "I'll admit the committee has made mistakes and deserves criticism," he said. "Sure I'll name one. I believe the handling of the case involving Dr. Edward Condon was unfair. I firmly believe that Dr. Condon should have been heard by the committee before any statement about him was made public. I regret that he has not [yet] been heard by the committee – and I think he should be heard now."

Others like Rep. Chet Holifield joined Javits in demanding more far-reaching forms of committee self-discipline. Some were prepared to acknowledge that Nixon's personal code of investigation marked the first introduction of reasonable standards of fair play in the treatment of witnesses, but it took the strange and in-

glorious spy-chasing excesses of the McCarthy period to bring Congress as a whole back to a sane perspective. The irony of it was that, whereas Nixon as a campaigner seemed to gravitate naturally toward reckless overstatement, he left a largely blameless record in the House during his handling of some of the period's most explosive issues.

Politically, the 1950 verdict against Hiss provided the impetus for a tortured struggle unique in American history. The issue in that struggle was essentially whether the guilt of an individual could by wordy legerdemain be transferred to a Democratic Administration, to the Democratic Party as a whole, and therefore to a majority of the American people, and whether that guilt could be defined as treason. The struggle was commonly thought to have begun a month after the January verdict, with Joe McCarthy's reckless Wheeling speech, but it is a question whether the Wisconsin Senator was the only or even the most culpable member of his party. Largely overlooked in the chorus of "treason" that erupted afterward was a message from Herbert Hoover congratulating Nixon on his role in the Hiss case. "The conviction of Alger Hiss," the former President said, "was due to your patience and persistence alone. At last the stream of treason that existed in our government has been exposed in a fashion that all may believe."

When a respected ex-President could thus loosely assume the existence of a "stream" of treason, who need fear the consequences of echoing him? And how were men of lesser standing to get a hearing for their plea of caution? The hysteria latent in a word like treason, used incautiously, was self-generating.

"Chance Taker in Foreign Affairs"

One other major issue attracted Nixon's not wholly passive interest as a member of the House -- foreign affairs and the consolidation of the free world coalition against international Communism.

As incident early in his Washington career was one of the forces that bent the twig. The House in the summer of 1947 created a select committee of 19 to study the problem of overseas relief and rehabilitation: the available resources, qualified agencies, and measures to assess relative needs and correlate assistance. Nixon read about his appointment to the committee in the papers -- the only freshman chosen -- and in late August, under the chairmanship of Christian Herter, sailed with the group for Europe. It was on this trip that Nixon for the first time came in personal contact with both Communist activities and the dreadful postwar poverty and suffering on which Communism was nourishing itself. After setting up temporary headquarters in London, the committee toured the Ruhr and divided itself into re-

gional teams for an intensive month-long survey of industry, agriculture and administrative facilities. Returning to Washington in October, it compiled the first of a long series of Congressional reports on foreign aid, a voluminous study that paved the way for the Marshall Plan and enlisted Nixon's lasting support for the doctrine of multilateral interdependence.

Describing his views later, he classed himself basically as an internationalist because of his Quaker heritage and declared: "I'm not necessarily a respecter of the status quo in foreign affairs. I am a chance taker in foreign affairs. I would take chances for peace -- the Quakers have a passion for peace, you know." Whether it was Quakerism or the Herter committee that oriented his thinking, the record shows that from 1947 on, he voted consistently and more or less generously for programs to support the free world alliance.

But if he became a crusading internationalist, it was only after his experiences in Congress had been supplemented by a wealth of travel and high-level policy discussion as Vice President. In the House, Nixon was content to be a soldier in the rear ranks except where his own political life was at stake. On one occasion, when a poll showed his constituency was critical of his stand on the Marshall Plan, he flew to California and hurriedly made some 50 speeches to explain and justify his support of the program. Otherwise his chief contribution was in helping to overcome pockets of isolationism in the Republican Party.

All in all, the Hiss case remained the highlight of Nixon's two terms in the House. For a time he and his supporters nurtured a legend that in pushing the Hiss investigation he had incurred the implacable hatred of the Communist apparatus and its dupes in the ranks of "intellectuals" and "liberals." After 1958, however, there were few references to this myth, partly because in retrospect Nixon's part in the Hiss case reflected no discredit on him, and partly because he had added enough to his public stature not to require anything so shoddy in the way of a defense.

NEXT WEEK: *Nixon in the Senate; he defends the strategy of MacArthur*

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